

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

JUXTACOMM TECHNOLOGIES, INC.

PLAINTIFF,

v.

ASCENTIAL SOFTWARE CORP., ET AL.

DEFENDANTS.

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Civil Action No. 2:07-CV-00359-LED

**JOINT MOTION FOR DISMISSAL**

Pursuant to Fed. R. Civ. P. 41(a)(2) and (c), Plaintiff JuxtaComm Technologies, Inc. ("JuxtaComm") and Defendants Business Objects SA and Business Objects Americas, (collectively, "Business Objects"), hereby move this Court to dismiss in their entirety and with prejudice JuxtaComm's claims against Business Objects and Business Object's counterclaims against JuxtaComm, with each party to bear its own costs, expenses and attorneys fees.

Respectfully submitted,

Dated: October 13, 2009

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this Motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(b)(1). Pursuant to Fed. R. Civ. P. 5(a)-(d) and Local Rule CV-5(b)(2), all other counsel or record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 13th day of October 2009.

*R. Laurence Macon*

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R. LAURENCE MACON